



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit : 3653

Examiner : Terrell Matthews



Applicant	:	Thor J. JOHANNSEN
Serial No.	:	10/705,551
Filing Date	:	November 11, 2003
Title	:	MATERIAL CLASSIFIER HAVING A SCOOP WHEEL

**SECOND
SUPPLEMENTAL
INFORMATION
DISCLOSURE
STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, V.A. 22313-1450.

Rachel Watt

Name of person signing the certification

Signature

September 21, 2005

Date

Sir:

Applicant submits herewith a copy of the International Search Report, a PTO/SB/08A form, and copies of the information listed thereon.

The International Search Report issued in connection with an International patent application that is a counterpart of the above-identified U.S. patent application.

Applicants respectfully request that the information listed on the enclosed PTO/SB/08A form be considered and entered of record in this application.

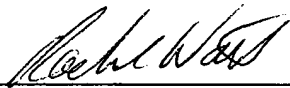
Serial No.: 10/705,551

Attorney Docket No.: 035683.00023

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. Therefore, pursuant to 37 C.F.R. §1.97(c)(1), no fee is required.

However, if it is found that any fee is occasioned by this Information Disclosure Statement, the Commissioner is hereby authorized to deduct the fee from Deposit Account No. 08-2442 of the undersigned.

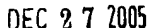
Respectfully submitted,
HODGSON RUSS LLP
Attorneys for Applicants

By: 

Rachel S. Watt
Patent Agent
Reg. No. 46,186

Date: September 21, 2005

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Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

(Use as many sheets as necessary)

Complete if Known

Application Number	10/705,551
Filing Date	November 11, 2003
First Named Inventor	Thor J. JOHANSEN
Art Unit	3653
Examiner Name	Terrell Matthews
Attorney Docket Number	035683.00023

Sheet	1	of	1
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on March 24, 2004.
Michael L. Culotta

Name Michael L. Culotta
Signature March 24, 2004
Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Thor J. Johannsen

Filed: November 11, 2003

Serial No. 10/705,551

For: Material Classifier Having A Scoop Wheel

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant wishes to make of record the following references under the provisions of 37 C.F.R. §1.97 (legible copies of the references are enclosed).

US-924,682	US-3,773,176
US-1,107,472	US-4,151,074
US-2,106,156	US-4,543,180
US-2,226,750	US-5,082,553
US-2,453,293	US-5,290,401
US-2,990,064	US-5,490,928

Please see attached form PTO/SB/08A for a listing of the references.

It is believed no fee is due with this Information Disclosure Statement. If a fee is due, please charge deposit account number 08-2442.

The person making this statement is the patent attorney who signs below on the basis of the information supplied by the inventor, and as the attorney associated with the filing and prosecution of this application (37 CFR 1.56(a)).

Respectfully submitted,

By: 
R. Kent Roberts, Reg. No. 40,786

HODGSON RUSS LLP
One M & T Plaza, Suite 2000
Buffalo, New York 14203-2391
Date: March 23, 2004

DEC 27 2005
PATENT & TRADEMARK OFFICE

Approved for use through 05/31/2003, OMB 0651-0031

(Use as many sheets as necessary)

Application Number	10/705,551
Filing Date	November 11, 2003
First Named Inventor	Thor J. Johannsen
Art Unit	
Examiner Name	
Attorney Docket Number	35683.0023

Attorney Docket Number	35683.0023
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[illegible][illegible]

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



The Patent and Trademark Office date stamp hereon will acknowledge receipt of:

Information Disclosure Statement Under 37 C.F.R. §1.97 (2 pages)
Information Disclosure Statement By Applicant (1 page)
12 References

Serial No.: 10/705,551

Filed: November 11, 2003

Title: Material Classifier Having A Scoop Wheel

Inventor: Thor J. Johannsen

File No.: 35683.0023 (RKR/mlc) Mary Ann Eustace 15N

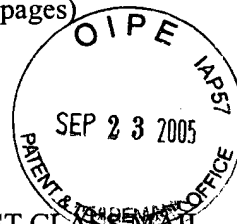
BFLOGCS: 909671 v1 (JHWN011.DOC)





The Patent and Trademark Office date stamp hereon will acknowledge receipt of:

Second Supplemental Information Disclosure Statement (2 pages)
Form PTO/SB/082A (1 page)
Copy of WO 02/32798 A1



In re application of: Thor J. JOHANNSEN
Serial No.: 10/705,551
Filed: November 11, 2003
Title: Material Classifier Having a Scoop Wheel

FIRST CLASS MAIL
Date: September 21, 2005

035683.00023 ✓

Ridout & Maybee ✓

(RKR/rsw)

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